

MESSAGE NO: 8105215 MESSAGE DATE: 04/14/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-602-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/26/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY
INVESTIGATION OF ELECTROLYTIC MANGANESE DIOXIDE (EMD) FROM AUSTRALIA (A-
602-806-000/001)

MESSAGE NO: 8105215

DATE: 04 14 2008

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 602 - 806

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PERIOD COVERED: 03 26 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING
DUTY INVESTIGATION OF ELECTROLYTIC MANGANESE DIOXIDE
(EMD) FROM AUSTRALIA (A-602-806-000/001)

1. ON 03/26/2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF
SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY
INVESTIGATION OF EMD FROM AUSTRALIA.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION INCLUDES ALL
MANGANESE DIOXIDE (MnO₂) THAT HAS BEEN MANUFACTURED IN AN
ELECTROLYSIS PROCESS, WHETHER IN POWDER, CHIP, OR PLATE FORM).

EXCLUDED FROM THE SCOPE ARE NATURAL MANGANESE DIOXIDE (NMD) AND CHEMICAL MANGANESE (CMD). THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) AT SUBHEADING 2820.10.00.00.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-602-806.

4. FOR IMPORTS OF EMD FROM AUSTRALIA, U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MARCH 26, 2008. IN ADDITION, FOR ENTRIES MANUFACTURED AND/OR EXPORTED BY DELTA AUSTRALIA PTY LTD, CBP SHALL SUSPEND LIQUIDATION OF ENTRIES MADE ON OR AFTER DECEMBER 27, 2007, WHICH IS 90 DAYS PRIOR TO THE PUBLICATION OF THE NOTICE, IN ACCORDANCE WITH SECTION 733(e)(2) OF THE TARIFF ACT OF 1930, AS AMENDED. CBP SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE PERCENTAGE MARGINS SHOWN BELOW FOR ENTRIES OF

THE MANUFACTURER LISTED BELOW:

MANUFACTURER	CUSTOMS ID	PERCENTAGE
	(MARGIN)	
DELTA AUSTRALIA PTY LTD	A-602-806-001	120.59
ALL OTHERS	A-602-806-000	120.59

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE 'ALL OTHER' RATE OF 120.59 PERCENT TO ESTABLISH THE CASH

DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5: HP).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party